

# TOWN OF GILA BEND

Minutes of the June 28, 2011 regular Council meeting

## I. CALL TO ORDER

- A. Call to order **Mayor Henry called the meeting to order at 6:00pm**
- B. Pledge of Allegiance **Led by Mayor Henry**
- C. Invocation **Given by Town Attorney McClure**

## II. ROLL CALL

Mayor Ron Henry  
Vice-Mayor Chuck Turner-**absent**  
Council Member Fernando Fernandez  
Council Member Armida Gonzalez

Council Member Steve Holt-**absent**  
Council Member Tommy Lee Sikes  
Council Member Donny Young-**6:03pm**

**Staff present: Town Manager Buss, Town Attorney McClure, Town Clerk Turner, Planning and Economic Development Director Fitzer, Public Works Director Menard, Records Clerk Eisenberger**

## III. PROCLAMATION: Mayor Henry shall read proclamation proclaiming August 1 through 31, 2011 as Drowning Impact Awareness Month. **Mayor Henry read the Proclamation.**

## IV. CONSENT AGENDA (all items subject to approval by a single motion; any Council Member may require any of these items to be voted on separately **Councilmember Gonzalez moved to approve. Motion seconded by Councilmember Sikes. No discussion. Motion passed unanimously; 5-0**

- A. Approval of June 14, 2011 Council meeting minutes: The Mayor and Town Council shall discuss and possibly take action on the approval of the June 14, 2011 Council meeting minutes. **Discussion and Action (WHITE)**
- B. Payment of Claims: The Mayor and Town Council shall discuss and possibly take action to ratify claims in the amount of \$173,108.05 for the period of June 1, 2011 to June 15, 2011. **Discussion and Action (BLUE)**
- C. Vehicle Lease Agreement: The Mayor and Town Council discuss and possibly take action to approve the Vehicle Lease Agreement with Area Agency on Aging, Region One, for the period of July 1, 2011 through June 30, 2012. The lease is for a 2011 E-350 Eldorado Aerolite 210 passenger van. **Discussion and Action (SALMON)**
- D. Contract Airport Manager: The Mayor and Town Council shall discuss and possibly take action on the amended annual contract of the Airport Manager. **Discussion and Action (YELLOW)**
- E. AZSTA Youth and Amateur Sports Biennial Grant Application: The Mayor and Town Council shall discuss and possibly take action to approve the submittal of an application for the AZSTA Youth and Amateur Sports Biennial Grant and allocate contingency funds in an amount not to exceed \$75,000. **Discussion and Action (PINK)**

## V. BUSINESS – Discussion and possibly action on the following items:

- A. Resolution 11-10 HURF: A resolution of the Mayor and Town Council of the Town of Gila Bend, Arizona, through the League of Arizona Cities and Towns and its Municipal Members, call upon the Arizona State Legislature not to further reduce the Highway User Revenue Fund Allocations to Arizona Cities and Towns. Gila Bend further advocates that the Arizona Legislature develop a plan to, at a minimum, restore HURF Funding to Arizona Cities and Towns to the Fiscal Year 2008 levels over the next 3 to 5 year period. **Discussion and Action (GREEN)**  
**Town Manager Buss noted that a Resolution has been circulated through 40 cities and towns requesting that funding not be stopped. Councilmember Sikes moved to approve.**

**Motion seconded by Councilmember Gonzalez. No further discussion. Motion passed unanimously; 5-0**

- B. Annexation 11-01: The Mayor and Town Council shall discuss and possibly take action to sign and direct staff to record the petition for Annexation 11-01, in the Office of the Maricopa County Recorder. **Discussion and Action (PINK) Councilmember Young moved to approve. Motion seconded by Councilmember Fernandez. Director Fitzer noted that the Town is the only signatory, BLM does not sign, and this is to adopt and record Annexation 11-01. Discussion on annexation puts the RO Plant within the town limits and allows town to do more at the plant. No further discussion. Motion passed unanimously; 5-0**
- C. Ordinance 11-05 Annexation: An Ordinance extending and increasing the corporate limits of the Town of Gila Bend, Maricopa County, State of Arizona, Pursuant to the provisions of Title 9, Chapter 4, Article 7, Arizona Revised Statutes and Amendments thereto, by annexing thereto certain territory contiguous to the existing Town limits of Gila Bend. **Discussion and Action (LILAC) Director Fitzer commented that this is the Annexation Ordinance for Item B, that there is a 30 day wait period for grievances, and that the Town is the only property holder so there should be no grievances. Councilmember Young moved to approve. Motion seconded by Councilmember Sikes. No further discussion. Motion passed unanimously; 5-0**
- D. Ordinance 11-06 Town Code Amendment: An Ordinance of the Common Council of the Town of Gila Bend, Arizona, hereby amending and revising the Gila Bend Town Code as currently enacted in Chapter 93, Garbage Collection and Disposal, as hereinafter set forth. **Discussion and Action (WHITE) Director Menard noted that this clarifies difference between refuse and recycle, added a scavenging section, defined who can collect, and added some unlawful acts with penalties. It was further noted that the graffiti section was updated. Councilmember Sikes moved to approve. Motion seconded by Councilmember Young. Motion passed unanimously; 5-0**
- E. Resolution 11-09 "2010-11 Tax Code Amendments": A Resolution of the Mayor and Town Council of the Town of Gila Bend, Arizona, declaring as a public record that certain document filed with the Town Clerk and entitled "The 2010-2011 Amendments to the Tax Code of the Town of Gila Bend. **Discussion and Action (YELLOW) Town Manager Buss commented that items E. and F. go together, the Tax Code Amendment was sent by the League of Arizona Cities and Towns, and that this is done annually. Councilmember Sikes moved to approve. Motion seconded by Councilmember Gonzalez. No further discussion. Motion passed unanimously; 5-0**
- F. Ordinance 11-07 Adopting 2010-2011 Tax Code Amendments: An Ordinance of the Town Council of the Town of Gila Bend, Arizona, relating to the Privilege License Tax; Adopting "The 2010-2011 Amendments to the Tax Code of the Town of Gila Bend" by reference; establishing an effective date; providing for severability and providing penalties for violations. **Discussion and Action (BLUE) Councilmember Young moved to approve. Motion seconded by Councilmember Sikes. No discussion. Motion passed unanimously; 5-0**
- G. Call for Bid Well #6 Rejuvenation: The Mayor and Town Council shall discuss and possibly take action to solicit bids to rejuvenate Well #6 (the Town's blending well). **Discussion and Action (SALMON) Councilmember Young moved to approve. Seconded by Councilmember Fernandez. Town Manager Buss noted that this item was suggested by Vice Mayor Turner, Well #6 collapsed and the copper stolen and that Council had previously asked for available options. Reviewed options available. Discussion on it being a submersible pump, the \$50,000.<sup>00</sup> option recommended, and that there are funds budgeted for the expense. Director Menard noted that the copper losses were recovered, his opinion his to move forward with this to get on-line as this well has good water used for blending and pumps 250gpm. No further discussion. Motion passed unanimously; 5-0**
- H. Gila Bend Fire Department Firefighter Appointments. The Mayor and Town Council shall discuss and possibly take action on the appointment of volunteer firefighters to the Gila Bend Fire Department. **Discussion and Action (GREEN) Mayor Henry noted that there are two**

*applicants and asked if they were in attendance; they were not. Councilmember Sikes moved to approve. Motion seconded by Councilmember Fernandez. No further discussion. Motion passed unanimously; 5-0*

- I. Adopt F/Y 2011/2012 Town Tentative Budget. The Town Council shall discuss and possibly take action to adopt the F/Y 2011/2012 Town Tentative Budget. **Discussion and Action (BINDER)** *Mayor Henry asked if all of the council members had a chance to go over the budget and if they were satisfied with the results. Councilmember Young moved to approve. Motion seconded by Councilmember Gonzalez. No further discussion. Motion passed unanimously; 5-0*
- J. Butterfield Trail Waterline Project Professional Services Agreement: The Mayor and Town Council shall discuss and possibly take action to approve a Professional Engineering Services Agreement with Atkins for the Butterfield Trail Waterline Project. **Discussion and Action (LILAC)** *Director Fitzer noted that Atkins agreed to provide construction management for the entire 60 day project and that he would like to get the project started and completed. He reviewed the history of the project and commented that Atkins (previously known as PBS & J) did fantastic job on last project and that he looks forward to working with them again. Motion to approve by Councilmember Young. Seconded by Councilmember Gonzalez. Discussion on difference in cost between 8" and 12" lines but there should be no problem staying under the amount allotted for the project. No further discussion. Motion passed unanimously; 5-0*
- K. Butterfield Trail Waterline Project Call for Bid: The Mayor and Town Council shall discuss and possibly take action to Call for Bids for the Butterfield Trail Waterline Project. **Discussion and Action (BLUE)** *Director Fitzer noted that approval was received from USDA-RD, that everything looks ok but that he will be double-checking it tomorrow. Councilmember Young moved to approve. Motion seconded by Councilmember Sikes. Discussion on closing date of July 21, 2011 and it will be going before Council at the July 26, 2011 meeting. Motion passed unanimously; 5-0*
- L. Resource Center: The Mayor and Town Council shall discuss and possibly take action on the approval of the Care1st Gila Bend Resource Center Phase Two, Tenant Improvements bid to Rounds Construction, LLC. in an amount not to exceed \$136,845.67. **Discussion and Action** *Town Manager Buss gave a review of the project. He noted that Rounds Construction has been really good to work with, all work is funded by Care 1<sup>st</sup> and that the Resource Center Coordinator position is posted on the website. Town Clerk Turner noted that the position will be closed on July 16, 2011 and the coordinator in place by mid to late August. Motion to approve made by Councilmember Sikes and seconded by Councilmember Fernandez. No further discussion. Motion passed unanimously; 5-0*

VI. MAYOR AND COUNCIL MEMBER'S REPORT ON CURRENT EVENTS

(This is the time Council Member's may present a brief summary on current events. The Council may not propose, discuss, deliberate or take any legal action on the information presented)

**Councilmember Fernandez: No report**

**Councilmember Gonzalez thanked everyone who worked so hard on the budget.**

**Councilmember Sikes: No report**

**Councilmember Young noted that Public Works employee, Raymond Duran, is in the hospital and he is unsure of the situation. Director Menard noted that it was for heat exhaustion.**

**Town Clerk Turner reported that seven new business licenses are going out with six of them for construction firms.**

**Planning and Economic Development Director Fitzer reported that the Scott Avenue project is moving forward as is the San Lucy project and that there is some in-kind work to be done with that project. He reported that he will be attending a GPEC meeting addressing some projects in the works, Carl's Jr is moving forward and have gotten their permits and that First Solar is half done with the solar field and should have construction totally done by the end of July. He reported that we may get another solar plant with APS and that he met with Southern California Edison and they were receptive to purchasing power when and if it becomes available.**

**Public Works Director Menard reported that the street signs are going up today, working**

**with the Care 1<sup>st</sup> project on back-flow preventer and lines and that he has received many thanks for resolving the road issues on First, Second and Walnut Streets. He reported that they have been repairing many water leaks, especially on the Butterfield line.**

- VII. **MCSO REPORT Captain Brice apologized for the late report. He reported that there were 20 incidents with quite a few domestic violence/assaults, deputies have been very busy with illegal immigrant issues and that south of town there have been several deaths and kidnaps. He publicly thanked the fire department for their assistance when a deputy flipped his vehicle several times during a high-speed chase. He reported that he has been working with the Town Manager regarding enforcing Town Code violations and then asked if there were questions. Councilmember Young mentioned the high rate of speed through town by some of the deputies and Captain Brice commented that he would like to speak with him after the meeting. Councilmember Young then reported that his son, George "LD" Young, passed his EMT Nationals. Captain Brice reported that there have been several arrests on the kids speeding and racing in town.**
- VIII. **TOWN MANAGER REPORT Town Manager Buss thanked Captain Brice for all of his efforts. He reported that the T-1 line is here and hooked up and should have back-up storage by next week. He reported that the Terry Bradshaw Profiles script is done and they should be here to shoot within 30-days. Town Manager Buss reported that he and Director Fitzer will be attending the Solar Summit, there are 286 people attending the summit so far, CivicPlus will have the website up one month earlier than planned and that he has been working with MAG's Small City Coalition to get more programs for smaller towns. He reported that the MCSO Contract renewal will be on the July 12<sup>th</sup> agenda and that a Work Session for the Fire Department will be held on August 9, 2011 and that Greg Schwartz will be attending it.**
- IX. **CALL TO THE PUBLIC (The procedures to follow if you address the Council are: Council requests that you express your ideas in three minutes or less and refrain from any personal attacks or derogatory statements about any individual . The Mayor will limit discussion whenever he deems such an action appropriate to the proper conduct of the meeting. At the conclusion of an open call to the public, individual members of the Council may respond to criticism made by those who have addressed the Council, may ask Staff to review a matter, or may ask that a matter be put on a future agenda. However, members of the Council shall not discuss or take legal action on any matters during an open call to the public unless the matters are properly noticed for discussion and legal action.) Fred Hull, resident, thanked the Council for the appointments to the Fire Department and that the two man fire crew that is always on call is doing a good job. He noted that George "LD" Young is one of the crew and he reminded everyone about the upcoming 4<sup>th</sup> of July event.**
- X. **EXECUTIVE SESSION: EXECUTIVE SESSION: The Town Council may go into executive session for purpose of obtaining legal advice for any of the above agenda items pursuant to A.R.S.38-431.03(A)(3) No Executive Session called.**
- XI. **ADJOURNMENT Councilmember Sikes moved to adjourn. Motion seconded by Councilmember Gonzalez. Motion to adjourn passed unanimously: 6-0. Time of adjournment: 6:50pm**

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Ron Henry, Mayor

ATTEST:

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Beverly Turner, CMC  
Town Clerk

CERTIFICATION:

I hereby certify that the foregoing minutes are a true and correct copy of the regular meeting held June 28, 2011, and the meeting was duly called and posted and that a quorum was present.

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Beverly Turner, CMC  
Town Clerk